

**REMARKS**

Claims 1-11 are pending and are rejected.

**CLAIMS**

**Rejection under 35 USC 103(a) as being unpatentable  
over GB 2 257 000 A ("Yamada") in view of US 5,835,671 ("Kitamura")**

Responsive to the rejection of claims 1-11 under 35 USC 103(a) as being unpatentable over Yamada in view of Kitamura, applicant respectfully submits that these claims are patentable over these two references because applicant strongly disagrees that the two references, considered singly and in combination, disclose or suggest a method or apparatus including the feature of selecting a language in which on-screen displays and audio programs are broadcast on the receiver by entering a single selection on an on-screen display, as recited in independent claims 1 and 6.

Claims 1, for example, reads as follows:

1. *A method for selecting the language in which on-screen displays are displayed and audio programs are broadcast on a receiver, comprising the steps of:*  
*accessing an on-screen display for the receiver; and*  
*selecting a language in which the on-screen displays and the audio programs are broadcast on the receiver by entering a single selection on the on-screen display.* (Emphasis added)

Note that the accessed on-screen display for entering a language is not required to be broadcast, but the "on-screen displays," recited in the selecting step must be broadcast on the receiver.

The Office Action acknowledge that Yamada does not teach the above

emphasized claim language wherein when “*entering a single selection on the on-screen display*” the “*language in which the on-screen displays and the audio programs are broadcast*” is selected, but states that Kitamura cures this defect as applied to claim 1. Applicant strongly disagrees that Kitamura cures this defect. As cited in the Office Action, Kitamura states that it is possible to record sets of audio data representing different language conversations and sets of sub-picture data representing associated language captions along with one set of video data on a recording disk. See col. 4, lines 1-4. In this case, audio data identification number data is set in a field of the control command to select one of the sub-picture data sets, which is associated with the audio data set identified by the number data. See col. 4, lines 5-8. The selected sub-picture data can be subjected to the forcible presentation control when it is confirmed that the identified audio data set coincides with audio data set, which currently reproduced. See col. 4, lines 8-11. The forcibly presentation control is to solve a problem in which a portion of an audio stream uses a language different from the language selected for the audio stream but the sub-picture is not selected for presentation. This way, during the presentation of that portion of audio stream, a sub-picture displaying a translation of the language used in that portion into the selected language can be forcibly displayed. See, for example, col. 11, lines 45-52.

However, a user must select a language for an audio stream and a language for the sub-pictures (relied upon as the on-screen displays recited in the selecting step). See, for example, col. 13, lines 42-51, and col. 14, lines 35-39. The selected language for one may be different from the selected language for the other. The non-selection of

presentation of sub-pictures described above is equivalent to selecting the same language when the sub-pictures are forcibly displayed because the user must make a selection for not presenting sub-picture captions. As such, Kitamura does not disclose or suggest the feature of selecting a language in which on-screen displays and the audio programs are broadcast on the receiver by entering a single selection on an on-screen display, as recited in claim 1.

Furthermore, applicant strongly disagrees that Yamada discloses that the "on-screen displays" are broadcast on a receiver, as recited in the selecting step of claim 1. Yamada teaches "*a character display control apparatus for on-screen display of alphanumeric or other characters in a given language selected from among a plurality of languages*," as set forth on page 1, lines 6-8 of Yamada. The on-screen display for entering a language selection is shown in FIG. 5, which can be interpreted as the accessed on-screen display for entering a language selection, as recited in claim 1. The other on-screen display, the volume adjustment on-screen shown in FIG. 6, in which the text includes the selected language, can be interpreted as one of the on-screen displays recited in the selecting step in claim 1. However, the volume adjustment on-screen display shown in FIG. 6 is displayed during an initialization of a television receiver. See the flow chart in FIG. 2. Thus, this on-screen display is pre-saved in the television receiver, not broadcast on the receiver, as recited the selecting step in claim 1. Thus, Yamada also does not disclose or suggest the feature of selecting a language in which on-screen displays and the audio programs are broadcast on the receiver by entering a single selection on an on-screen display, as recited in

claim 1.

Lastly, even interpreting Yamada as disclosing the feature of selecting a language in which on-screen displays are broadcast on the receiver by entering a signal selection on an on-screen display, the modification still does not yield the claimed invention. Since Kitamura teaches using two different selections for audio and sub-pictures, if the system in Yamada is modified according to the teaching of Kitamura, a separate selection would be needed for audio in the modified system, even though Kitamura teaches the feature of forcibly presenting sub-pictures, as described above. This is because a skilled artisan would preserve the flexibility of allowing a user selecting different languages for audio streams and sub-pictures, for example English audio streams but Chinese sub-pictures. As such, the combination would not include the feature of selecting a language in which on-screen displays and audio programs are broadcast on the receiver by entering a single selection on an on-screen display.

In light of the fact that Yamada and Kitamura, considered singly and in combination, do not disclose or suggest the feature of selecting a language in which on-screen displays and audio programs are broadcast on a receiver by entering a single selection on an on-screen display, as recited in claim 1, applicant respectfully submits that claim 1, and dependent claims 2-5, are patentable over the two references.

Applicant submits that the arguments made above are also applicable to claim 6, and that claim 6, and dependent claims 7-11, are patentable over the two references.

**Rejection under 35 USC 103(a) as being unpatentable  
over US Patent No. 5,926,174 ("Shibamiya") in view of Kitamura**

Responsive to the rejection of claims 1-11 under 35 USC 103(a) as being unpatentable over Shibamiya in view of Kitamura, applicant respectfully submits that these claims are patentable over these two references because applicant strongly disagrees that the two references, considered singly and in combination, disclose or suggest a method or apparatus including the feature of selecting a language in which on-screen displays and audio programs are broadcast on a receiver by entering a single selection on an on-screen display, as recited in independent claims 1 and 6.

As discussed in the response dated October 6, 2003, Shibamiya describes a process for selecting a *"language,"* sound quality process, a  $\gamma$  selection process, etc. in columns 23-28 as shown in FIGS. 34-43, but does not disclose or suggest the feature of selecting a *"language in which . . . the audio programs are broadcast,"* as recited in claims 1 and 6. In fact, Shibamiya does not even disclose or suggest the feature of selecting a *"language in which the on-screen displays . . . are broadcast,"* as alleged in the Office Action and recited in claims 1 and 6. The menus (relied upon as the on-screen displays recited in the selecting step of claim 1) shown in FIGs. 34-38 are pre-stored in the receiver, not broadcast on the receiver, as recited in claims 1 and 6. This is evident because the menu shown in FIG. 34 also includes a feature for changing the brightness of the display apparatus. Therefore, Shibamiya does not teach the feature of selecting a language in which on-screen displays and audio programs are broadcast on the receiver by entering a single selection on an on-screen display, as recited in claims 1 and 6.

As discussed above with respect to the rejection using Yamada and Kitamura, Kitamura also does not disclose or suggest the feature of selecting a language in which

on-screen displays and audio programs are broadcast on a receiver by entering a single selection on an on-screen display, as recited in claims 1 and 6.

Furthermore, for similar reasons discussed above with respect to the rejection using Yamada and Kitamura, the combination of Shibamiya and Kitamura would not arrive at the claimed invention.

In light of the fact that Shibamiya and Kitamura, considered singly and in combination, do not disclose or suggest the feature of selecting a language in which on-screen displays and audio programs are broadcast on a receiver by entering a single selection on an on-screen display, as recited in claims 1 and 6, applicant respectfully submits that claims 1 and 6, and respective dependent claims 2-5 and 7-11, are patentable over these two references.

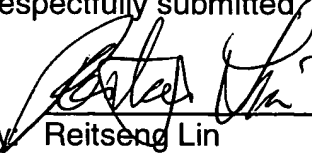
#### **CONCLUSION**

In view of the foregoing remarks and amendments, the Applicant believes that he has overcome all of the Examiner's basis for rejection, and that this application therefore stands in condition for allowance. However, if the Examiner is of the opinion that such action cannot be taken, the Applicant requests that he contact the undersigned attorney in order to resolve any outstanding issues without the necessity of issuing another Office Action.

#### **FEE**

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,



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April 5, 2004

#### CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to [Mail Stop Non-Fee Amendment], Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

4-5-04  
Date

Karen Schlauch  
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